

SENATE JOINT RESOLUTION 921

By Herron

A RESOLUTION relative to the provision of medical assistance to persons with acquired brain injury.

WHEREAS, every twenty-one (21) seconds, someone in the United States sustains an acquired brain injury, and more than fifty thousand (50,000) people die every year as a result of acquired brain injury; and

WHEREAS, each year, eighty thousand (80,000) Americans experience the onset of long-term disability following acquired brain injury; and

WHEREAS, each year in Tennessee, approximately six thousand (6,000) people are admitted to the hospital with a brain injury; and

WHEREAS, motor vehicle accidents cause fifty percent (50%) of all brain injuries; falls account for twenty-eight percent (28%); assaults and violence account for seven percent (7%); and fifteen percent (15%) are in other categories; and

WHEREAS, young males between the ages of fifteen (15) to twenty-four (24) have the highest rate of acquired brain injury; and

WHEREAS, acquired brain injury is defined as an acquired injury to the brain caused by an external physical force that may result in total or partial disability or impairment; and

WHEREAS, acquired brain injury frequently results from motor vehicle crashes or from falls when the head abruptly stops moving and the brain smashes into the hard walls of the skull; and

WHEREAS, many people with acquired brain injury do not "look" injured. Because the injured brain is not visible to the naked eye, problems with memory, planning and organizational abilities, and judgment often appear in subtle ways. In some cases, even a minor bump on the

head can cause ongoing problems and lead to loss of employment or problems with family life;
and

WHEREAS, depending on what area of the brain is injured, people with brain injuries may suffer from poor short-term memory and difficulty with organization, concentration, and judgment. They may experience headaches, seizures, and decreased muscular strength and coordination; and

WHEREAS, the State of Tennessee presently has the Traumatic Brain Injury (TBI) Program, which was established by the General Assembly to address the needs of those individuals who have sustained a brain injury, as well as their family members and primary caregivers, but this relatively small and under-funded program does not have the resources to comprehensively address the medical needs of Tennessee's acquired brain injury population; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we hereby urge and encourage the Bureau of TennCare to research the development of a proposal for an appropriate federal waiver from the Center for Medicare and Medicaid Services (CMS) to provide medical assistance to eligible persons with acquired brain injury pursuant to the provisions of Tennessee Code Annotated, Title 71, Chapter 5, and applicable federal law.

BE IT FURTHER RESOLVED, that the purpose of such waiver program should be to provide services to eligible participants with acquired brain injury, which services seek to improve the participant's ability to perform routine daily living tasks and to utilize community resources more independently. Daily living skills training that should be considered during the Bureau's research of the viability of such waiver program shall include, but not be limited to, training related to personal hygiene, money management, food preparation, housekeeping and maintenance, and accessing and using community resources.

BE IT FURTHER RESOLVED, that under the consideration of such waiver program, the following services should be considered as allowable services to the extent reimbursable by federal medical assistance funds: adult day care, where available and appropriate for brain

injured persons; consumer-directed attendant care; interim medical monitoring and treatment; supported community living; prevocational and vocational services; daily living skills training; transportation; and case management.

BE IT FURTHER RESOLVED, that the Bureau of TennCare should submit a written report of its research relative to the proposed waiver program to provide medical assistance to eligible persons with acquired brain injury to the House Health and Human Resources Committee and the Senate General Welfare, Health and Human Resources Committee no later than February 1, 2007.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to the Deputy Commissioner for the Bureau of TennCare.